

SIGNATURE ON 13TH
AMENDMENT RESOLUTION

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SLAVERY ATTITUDE

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Slavery

Attitudes about Slavery

Lincoln's Signature on
Thirteenth Amendment
Resolution

Excerpts from newspapers and other sources

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Lincoln Lore

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LINCOLN NEED NOT HAVE SIGNED THE RESOLUTION SUBMITTING THE THIRTEENTH AMENDMENT TO THE STATES

Editor's Note: *Lincoln Lore*, Number 1427, January, 1957, contains a short article (pages 3-4) entitled "The Thirteenth Amendment 'A king's cure for all the evils'." This article is reprinted (with certain alterations and additions) to serve as an introduction concerning the Thirteenth Amendment in general and the arguments presented by Senator Lyman Trumbull of Illinois, Senator Reverdy Johnson of Maryland and Senator Timothy O. Howe of Wisconsin, in particular, in regard to President Lincoln's signature on the resolution submitting the Thirteenth Amendment to the States. The article follows:

THE THIRTEENTH AMENDMENT

"A king's cure for all the evils"

During Abraham Lincoln's lifetime he did not witness the enactment of a Constitutional Amendment. While he did sign the Joint-Resolution on February 1, 1865 (two-thirds of both houses concurring) which was submitted to the legislatures of the several states proposing the Thirteenth Amendment, his signature was unnecessary and he died before December 18, 1865 when three-fourths of the States had ratified the amendment.

The Thirteenth Amendment was passed by the 38th Congress during the Second Session. The Senate initiated the resolution in April 1864, and without any difficulty approved it with a vote of 38 to 6. The House of Representatives, while rejecting the resolution, on June 15 with a vote of 95 to 66 (not a two-thirds vote), met the issue on January 31, 1865 with a vote of 119 yeas and 56 nays (8 members not voting).

As President, it had been Lincoln's custom to approve resolutions and Acts of Congress, but such procedure was unnecessary in amending the Constitution. In fact, on February 7, the Senate fearing lest a wrong precedent be set, passed a resolution asserting that presidential approval was unnecessary. Before this action was taken, however, Lincoln had inscribed the document "Approved February 1, 1865."

Senator Lyman Trumbull, in an address printed in the *Congressional Globe*, February 7, 1865, pp. 629-31, cited a Supreme Court case dating back to 1798 which declared that the president had no authority to approve or disapprove of a proposition submitted for adoption as an amendment to the Constitution. Trumbull did not want inadvertent approval in this instance to be considered a precedent because a future

president could defeat an amendment by pocket veto.

Article XIII, Section 1, of the Amendment Resolution follows: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

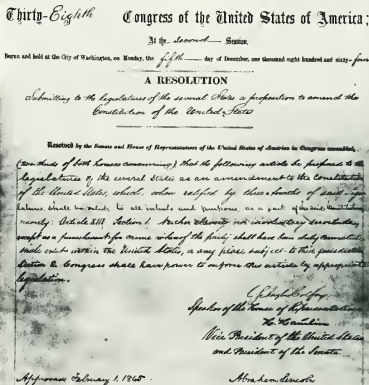
Section 2 follows: "Congress shall have power to enforce this article by appropriate legislation."

The original document is a printed form with the appropriate words filled in by a clerk. Its phraseology is essentially that of the Ordinance of 1787, repeated in the Missouri Compromise and the Wilmot Proviso. The document also bears the signatures of Schuyler Colfax, Speaker of the House of Representatives, and H. Hamlin, Vice President of the United States and President of the Senate. There are also several engrossed copies extant bearing the signatures of the President, Vice President and Speaker of the House, along with the signatures of members of the Senate and House of Representatives.

Apparently many people thought that Lincoln's signature was necessary to validate the Thirteenth Amendment resolution, and after he had affixed his signature to the document he was honored with a serenade. To this group of admirers he made a brief address. Lincoln stated that, "The occasion was one of congratulation to the country and to the whole world. But there is a task yet before us—to go forward and consummate by the votes of the States that which Congress so nobly began yesterday." Lincoln expressed the belief that "all would bear him witness that he had never shrunk from doing all that he could to eradicate slavery by issuing an emancipation proclamation."

In his response to the serenaders Lincoln admitted that his Emancipation Proclamation "falls far short of what the

Amendment will be when fully consummated." Then too, he said, a question might be raised whether the proclamation was legally valid. He knew that it would be declared that it did not meet the evil. But Lincoln continued, "this amendment is a king's cure for all the evils. It winds the whole thing up."



From the National Archives

The original resolution approved by Lincoln was a printed form with blanks filled in by a clerk. Engrossed copies bearing the signatures of Colfax, Hamlin, Lincoln and members of the Senate and House are to be found in private and institutional collections.

Lincoln was in a genial mood on February 1, 1865, and "he could not but congratulate all present, himself, the country and the whole world upon this great moral victory."

The President was pleased that his own State of Illinois had taken the lead in ratifying the amendment. Governor Richard J. Oglesby telegraphed Lincoln on February 1 that the Illinois Legislature had approved the amendment and Lincoln informed his seceding friends "that Illinois had already today done the work." Rhode Island and Michigan ratified the amendment on February 2, followed by Maryland, New York and West Virginia on February 3. By the end of February, Missouri, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Louisiana, Indiana, Nevada, Minnesota and Wisconsin had "done the work." Vermont ratified in March. Early in April, Tennessee and Arkansas ratified (the latter on April 14, 1865) thus making a total of twenty-one states ratifying the amendment before Lincoln's assassination. Connecticut ratified in May, New Hampshire in June, South Carolina in November, Alabama, North Carolina, Georgia, Oregon, California and Florida in December. (Florida again ratified the amendment on June 9, 1868, upon its adoption of a new constitution.) Iowa ratified in January, 1866, followed by New Jersey the same month (the latter having rejected the amendment in March, 1865). Texas ratified in February, 1870, and Delaware on Lincoln's birthday, February, 1901 (after having rejected the amendment in February, 1865). The amendment was rejected by Kentucky in February, 1865, and by Mississippi in December, 1865.

Ratification was completed on December 6, 1865, when the legislature of the twenty-seventh State (Georgia) approved the amendment, there being then 36 States in the Union. On December 18, 1865, Secretary of State Seward certified that the thirteenth amendment had become a part of the Constitution.

Slavery as an institution had been in the process of rapid disintegration throughout the early 1860's. While about 200,000 slaves had gained their independence under the Emancipation Proclamation up to February, 1865, nearly 1,000,000 were still in bondage when the Thirteenth Amendment was introduced.

Certainly no man had a better right to sign his name to the Thirteenth Amendment resolution than Abraham Lincoln, even though his presidential approval was not a legal requirement. His signature on this particular document again dramatically presented his "oft-expressed personal wish that all men everywhere could be free."

In his arguments before the Senate on the question of Constitutional Amendments, Trumbull quoted Mr. Charles Lee, Attorney General (1795-1801) and Justice Samuel Chase (1796-1811) to bolster his contention that the President should not sign an amendment to the Constitution. The debate as it appears in *The Congressional Globe*, February 7, 1865, pages 629-631 follows:

Constitutional Amendment

The Senate accordingly proceeded to the consideration of the following resolution, which was submitted by Mr. Trumbull on the 4th instant:

Resolved, That the article of amendment proposed by Congress to be added to the Constitution of the United States, respecting the extinction of slavery therein, having been inadvertently presented to the President for his approval, it is hereby declared that such approval was unnecessary to give effect to the action of Congress in proposing said amendment, inconsistent with the former practice in reference to all amendments to the Constitution heretofore adopted, and being inadvertently done, should not constitute a precedent for the future; and the Secretary is hereby instructed not to communicate the notice of the approval of said proposed amendment by the President to the House of Representatives.

Mr. TRUMBULL. Since the Government was formed several amendments to the Constitution of the United States have been proposed by Congress and accepted by the States. They were all proposed at three different times; the first series of ten amendments was proposed in 1789; the eleventh amendment was proposed in 1794, and the twelfth amendment in 1803. The Constitution of the United States declares that "the Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution," which being ratified in the manner prescribed shall become a part thereof; and the amendments which have been

heretofore adopted have been adopted under this clause of the Constitution authorizing Congress to propose amendments, and those proposed amendments have never been presented to the President of the United States for his approval. The clause of the Constitution which declares that "every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States," and the clause that requires "every order, resolution, or vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of adjournment,)" to be "presented to the President of the United States" for his approval, are not applicable to the proposal of amendments to the Constitution. Those clauses of the Constitution requiring the approval of the President to the bills which pass Congress and to the resolutions which pass both Houses, have reference to ordinary legislative proceedings; and hence, when amendments were proposed in 1789, 1794, and 1803, they were not presented to the President for his approval.

I have before me a statement prepared by the Chief Clerk of the Senate, of the different amendments which have been adopted, and the manner in which they were adopted, from which the fact I have stated will appear. The question was raised distinctly in 1803 in the Senate of the United States on a motion that the then proposed amendment should be submitted to the President:

"On motion that the Committee on Enrolled Bills be directed to present to the President of the United States for his approbation the resolution which has been passed by both Houses of Congress proposing to the consideration of the State Legislatures an amendment to the Constitution of the United States respecting the mode of electing President and Vice President thereof, it was passed in the negative—yeas 7, nays 23."

On a distinct vote 23 to 7 voted that the Committee on Enrolled Bills should not present the proposed amendment to the President of the United States for his approval, and it was not presented to or approved by him. In 1798 a case arose in the Supreme Court of the United States depending upon the amendment to the Constitution proposed in 1794, and the counsel in argument before the Supreme Court insisted that the amendment was not valid, not having been approved by the President of the United States. This was his argument:

"The amendment has not been proposed in the form prescribed by the Constitution, and therefore it is void. Upon an inspection of the original roll, it appears that the amendment was never submitted to the President for his approbation. The Constitution declares that 'every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives,' &c. (Article one, section seven.) Now, the Constitution likewise declares that the concurrence of both Houses shall be necessary to a proposition for amendments. (Article five.) And it is no answer to the objection to observe that as two thirds of both Houses are required to originate the proposition, it would be nugatory to return it with the President's negative to be repassed by the same number, since the reasons assigned for his disapprobation might be so satisfactory as to reduce the majority below the constitutional proportion. The concurrence of the President is required in matters of infinitely less importance, and whether on subjects of ordinary legislation or of constitutional amendments the expression is the same, and equally applies to the act of both Houses of Congress."

Mr. Lee, the Attorney General, in reply to this argument, said:

"Has not the same course been pursued relative to all the other amendments that have been adopted? And the case of amendments is evidently a substantive act, unconnected with the ordinary business of legislation, and not within the policy or terms of investing the President with a qualified negative on the acts and resolutions of Congress."

The court, speaking through Chase, Justice, observes: "There can surely be no necessity to answer that argument. The negative of the President applies only to

the ordinary cases of legislation. He has nothing to do with the proposition or adoption of amendments to the Constitution."

The court would not hear an argument from the Attorney General on the point, it was so clear. If the approval of the President were necessary, none of the amendments which have been made to the Constitution since its adoption would be valid, for not one of them ever received his approval.

I ought to state, perhaps, that three or four years ago, when Congress passed a proposition to amend the Constitution by a two-thirds vote, it was inadvertently presented to the President for his approval, just as the one passed a few days ago was presented; but that amendment has never been acted upon by the States, and it ought not to form a precedent. The object of the resolution which I have introduced is to prevent the inadvertent approval in this instance being considered as a precedent hereafter; so that it shall not be in the power of any future President by pocketing, if you please, an amendment proposed by both branches of Congress by the constitutional majority, to defeat it. I think it important that the precedent should be right. The resolution also instructs the Secretary not to inform the House of Representatives that the President has approved the proposed amendment. The approval of it can do no harm, but it is not a necessity, and it having been inadvertently presented for his approval, the Senate ought so to declare lest a wrong precedent be set.

Mr. HOWE. As I was the instrument of the Senate who took this resolution to the President, perhaps the Senate will indulge me in a single word on the matter.

The bulk of the precedents are against the propriety of that step, as has been stated by the Senator from Illinois. There is a judgment of the Supreme Court of the United States declaring that the assent of the President is not necessary to a resolution of this kind. That is the authority for dispensing with the assent of the President. Nevertheless, to my understanding, the express language of the Constitution requires the assent of the President just as much to a resolution of this kind as to any other. It does not require the assent of the President to a vote for adjournment, and that is the only exception. The Constitution declares that —

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

All legislative powers are vested in a Congress, and we are expressly told of what the Congress consists. If you will look to see what Congress may do, in the eighth section of the first article you are told that the Congress shall have power to lay and collect taxes, duties, imposts, and excises, to borrow money, to establish a uniform rule of naturalization, &c. The Congress may do these things. That is precisely the tribunal, in precisely the words, which is authorized in a subsequent clause of the Constitution to propose amendments to that instrument. It is the Congress that may propose amendments; it is the Congress that may raise armies; and the Congress consists of a Senate and House of Representatives. Now, how does it happen that any bill or any resolution must go to the President for his signature? Because there is a distinct clause in the Constitution which provides that —

"Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States."

He is not a part of the Congress, and all legislative powers are vested in the Congress; nevertheless, you cannot have a law unless you have presented the bill previously to the President. Not only that, but another clause of the Constitution requires that —

"Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed."

Not passed, but re-passed —
"by two thirds of the Senate and House of Representa-

tives, according to the rules and limitations prescribed in the case of a bill."

If this language applies to any one resolution requiring the concurrent vote of the two Houses it applies to every one, for it says every one. So much for the express letter of the Constitution itself.

The Senator from Illinois, however, says — and in that he is borne out by the judgment of the Supreme Court, or at least he is borne out by the language of Justice Chase, formerly a member of that court — that this provision which I have just read only applies to the ordinary acts of legislation. It cannot be disputed that Justice Chase so said, and the court having concurred with him perhaps we are bound to consider the law settled upon that point. Not a reason was assigned for it; and the argument which was made by the counsel in that case against the validity of the amendment adopted was not answered either by the opposing counsel or by the court; nor have I heard it answered by any one. Justice Chase remarked, indeed, that argument was not necessary upon a point of that kind. In the vote which was taken in the Senate of the United States in 1803 I notice among the names of those who voted for presenting the resolution to the President the names of Mr. John Quincy Adams and Mr. Pickering. I think, with all deference to Justice Chase, that when such gentlemen as Mr. Adams and Mr. Pickering have affirmed that a step is necessary, some argument may fairly be offered to show that it is not necessary.

This resolution says that the resolution proposing an amendment to the Constitution was inadvertently presented to the President, and the aim of the resolution is to prevent its being made a precedent; but the Senator from Illinois has told us correctly that the precedent has already been established. In 1861 an amendment was agreed to by both Houses and was submitted to the President for his approval; and I have yet to learn that any member of either House of Congress entered any protest to that form of procedure. The President did approve it. The Senator from Illinois says it ought not to be considered a precedent because the Legislatures of the States did not adopt the amendment. How that can make it more or less of a precedent I do not understand. The two Houses concurred in the resolution; the organs of the Houses presented it to the President, and he approved it; and so your records show; and there is the precedent. If this resolution passes without dissent on the part of Congress it will be but another precedent. Precedents, I take it, cannot override the Constitution itself. The approval of the President will not do any hurt if the Constitution does not require it. My own judgment is that the express language of the Constitution does demand it, and my own judgment is that propriety sanctions it; that it is proper to present it to the President; for it does not follow, if the President dissents and presents his objections to the two Houses, that the vote of two thirds of each House can be again had to repass the resolution.

But assuming that the Constitution does not require the President's assent to such a resolution, and assuming that the resolution was inadvertently presented to the President, the resolution now pending declares that it was unnecessary to present it to him. I do not think that follows, even if the premises are as stated; for if it had not been presented to the President, I ask you, sir, and I ask the Senate, how would it have been transmitted to the Legislatures of the States? Your resolution proposing the amendment provided no means, and there has been no other action taken on the part of the two Houses to get it to the States. It would not go to the State Department unless presented to the President. When presented to the President, if he approves it he transmits it to the State Department; and being transmitted to the Secretary of State, he transmits it to the Legislatures of the States. I think I am abundantly authorized to say that but for this very action of the Committee on Enrolled Bills, which your resolution says was not necessary, the resolution proposing this amendment to the Constitution would not have reached the Legislature of a single State probably until this time. If it had, I do not know how it could have got there, or who would have sent it there. You took no steps whatever to send it there. It certainly would never have got there until after, under the procedure which was adopted,

many of the States had actually ratified the amendment. If it be the established law that these resolutions should not go to the President for his assent, certainly the two Houses which pass them ought to take some measures to execute them, and to get them before the State Legislatures.

I am free to confess that when I presented this resolution to the President I did so in pursuance of what is a mere habit, so to speak; I did not stop to distinguish between this and any other resolution. I had not looked into the precedents; I had not looked into the Constitution. Since my attention has been called to it I have looked into the precedents; I have looked into the Constitution; and as I have already said, my judgment is satisfied that the course taken was right, notwithstanding the authority which has been read goes so far against it.

Mr. JOHNSON obtained the floor.

Mr. TRUMBULL. If the Senator from Maryland will allow me, I desire to refer to the rule of the Senate on this subject. I omitted to do so when I was up before. One of the special rules of the Senate also shows that these constitutional amendments are not to be submitted to the President. The 26th special rule of the Senate declares:

"And all resolutions proposing amendments to the Constitution, or to which the approbation and signature of the President may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them, in the Senate, in the same manner with bills."

Showing by irresistible inference that resolutions proposing amendments to the Constitution are not required to be submitted to the President for his signature; because the language is —

"And all resolutions proposing amendments to the Constitution, or to which the approbation and the signature of the President may be requisite," &c.

Mr. JOHNSON. It would be very improper to say that the question which is presented by the resolution offered by the honorable member from Illinois, if it was an original question, would be entirely free from doubt, not only because the honorable member from Wisconsin thinks differently, and has expressed a different opinion upon it, but because there were some six or seven Senators, in 1803, I think, who entertained a different opinion. But, to my mind — with due respect to the authority of my friend from Wisconsin — it seems to be quite clear that a resolution proposing an amendment to the Constitution is not to be submitted to the President for his approval. The object of the constitutional provision on the subject is simply to initiate a mode by which the people shall decide whether there shall be an amendment of the Constitution or not. It does not operate as a law. The whole effect of it is, if it is initiated by Congress, to submit the question to the people for their determination; and the Senate, of course, will have seen that that is but one way in which amendments are to be proposed. Precisely the same effect is given to amendments proposed by the Legislatures of the States. I suppose it will hardly be contended that the President has any control over a convention called by two thirds of the State Legislatures.

What makes it, as I think, still more obvious that it was not the purpose of the Convention that framed the Constitution that the President should decide upon a resolution of this description is, that the resolution itself is not to be passed unless it is concurred in by two thirds of each House. The constitutional provision which gives to the President the authority to veto any such bill as is to be submitted to him for approval or rejection says that if he disapproves, he is to send it to the House in which the bill or resolution originated, and if passed by that House and the other by two thirds it is to become a law notwithstanding the veto. You are not to construe these provisions, therefore, literally where they come in conflict with each other, but you are to construe them in relation to the subject-matter with which they deal. By looking at the provision upon which my honorable friend from Wisconsin relies, you find that —

"Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States."

The clause immediately preceding says:

"If he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House it shall become a law."

Now, as such a resolution as the one in question is a resolution which cannot be passed by either House except by a vote of two thirds, why should it become necessary to submit that to the President for his decision; for, after he decides, there is but one provision looking to what is to be done in consequence of his decision against the resolution, and that is that it is to be passed by two thirds; so that if this resolution was sent to the President for his approval, and he rejects it, and it comes back, it will just be precisely the same vote.

Mr. HOWE. It does not follow that it will get the same vote after Congress has heard the President's objections.

Mr. JOHNSON. I know it does not; but what I mean to say is, that looking at the two provisions — that is to say, the provision which gives the President the right to approve or disapprove, and the provision which looks to the duty of Congress consequent upon his disapproval — it is evident that what was intended to be submitted to the President was a question which was to be passed upon by more votes than were necessary before it was submitted. Then the provision is:

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution" * * * "which" * * * "shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by conventions in three fourths thereof."

Now, the proposition is that no proposal by Congress of an amendment to the Constitution, although receiving the support of two thirds of both Houses of Congress, is to be submitted to the States, unless the President shall approve it. That is not the case in relation to the other mode of proposing amendments. There being two modes, and stated in the alternative, the other mode is:

"Or, on the application of the Legislatures of two thirds of the several States."

What are Congress to do then? Suppose two thirds of the States propose amendments, has the President anything to do with that? All will admit that he has not. Has Congress anything to do with that? All will admit that their single duty then is — an imperative duty — to call a convention. So that the whole object of the clause, as it seems to me, is merely to begin a mode by which the people shall have an opportunity of deciding whether the Constitution shall be amended or not. But when, as is stated by the honorable chairman of the Judiciary Committee, every amendment which has been adopted has been submitted to the States without having been approved by the President, and when the Supreme Court, at a time when it stood as high as it has ever stood at any time since its organization, refused even to hear an argument on the subject, supposing it to be too clear for discussion, it would seem to me that we ought to consider the question as settled; and in order that it may be considered as settled, that it is advisable to take the particular case which is before us (where the amendment has been submitted to the President for his approval without at the time, as my friend admits, due consideration or any consideration, taking it for granted it was to go to him for approval) out of the way as a precedent.

The resolution was agreed to.



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Number 1656

LINCOLN HISTORIOGRAPHY: NEWS AND NOTES

Editor's Note: Once again enough articles and notes of interest to Lincoln students have accumulated to merit devoting most of this issue to discussing them. The last page of this issue is the "Cumulative Bibliography," and this entire issue, like Number 1647, constitutes a bibliographic tool for the student and collector.

Although pundits have been suggesting for years that the Lincoln theme is exhausted, Lincoln students still produce fresh evidence and treat old problems in refreshing ways. The variety of contributions to the Lincoln field of study lately has been great, and some of them approach Abraham Lincoln from ingenious angles. Articles have recently linked his name to people as different as Mark Twain, one of the Peabody sisters of Salem, and Giuseppe Garibaldi. The old problem of Lincoln's opposition to the Mexican War has received a refreshing treatment, and the same author has attempted to psychoanalyze the sixteenth President. Despite the already vast literature on the subject, new research requires an almost yearly reevaluation of Lincoln. We should be changing our minds about aspects of his career all the time.

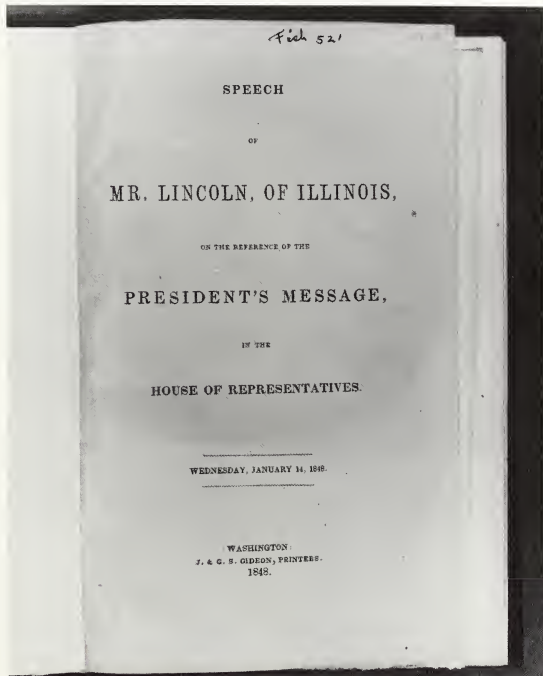
G. S. Boritt demands that we rethink our answer to "A Question of Political Suicide: Lincoln's Opposition to the Mexican War" in the *Journal of the Illinois State Historical Society*, LXVII (February, 1974), 79-100. Boritt denies that Lincoln suffered a lapse from the "pragmatic" political course he characteristically pursued in his public career. William Herndon was the first to argue that Lincoln made a serious political mistake when, on January 12, 1848, he denounced the Mexican War in his first significant action as a United States Congressman. It

was a major leg of the argument of Herndon's *Abraham Lincoln: The Story of a Great Life*, which insinuated that Herndon steered his law partner from the errors of his political novitiate into the brilliant statesmanship which led to his being nominated for the Presidency twelve years later. Albert Beveridge, not only a Lincoln biographer but also a raving imperialist, made Herndon's case stick in *Abraham Lincoln, 1809-1858*, published in 1928. He, of course, was not happy to find that Lincoln opposed American expansion.

The evidence for the view that Lincoln thus committed political suicide is limited enough to suggest that the authors' prej-

udices dictated the bold assertion. Herndon and ever-hostile Democratic newspapers were the principal witnesses against Lincoln. The circumstance that Stephen T. Logan, Lincoln's former law partner and the Whig candidate for Lincoln's seat in 1848, lost the traditionally Whig district in the next election has also counted heavily against the wisdom of Lincoln's course; historians blame his opposition to the war for the Democratic upset that followed.

The many prongs of Boritt's attack on this old saw cannot be fully recounted, but here are some of the more important points: (1) Illinois Whigs in general opposed the war, (2) the only criticism of Lincoln in the press came from Democratic newspapers, (3) the only extant piece of opposition to Lincoln's stand from a member of his district comes from Herndon, (4) Whigs rotated the seat in Lincoln's district (he did not choose not to run again for fear of losing), (5) the Whigs' next candidate, Logan, was a terrible



From the Lincoln National Life Foundation
FIGURE 1. Lincoln's Mexican War speech as it was known to his friends and constituents. Only six other congressmen spent more than Lincoln on printing speeches to be sent home as pamphlets, and Lincoln spent the largest part of this sizable sum on reprinting his Mexican War address.

campaigner and guaranteed his own defeat, and (6) Lincoln spent much time campaigning for Zachary Taylor in 1848 out of his home state because of his ambition for national political fame, not because he was afraid to show his face in his own district.

In a more speculative and slightly less careful piece of work, Professor Boritt discusses "The Voyage to the Colony of Linconia: The Sixteenth President, Black Colonization, and the Defense Mechanism of Avoidance" in *The Historian*, XXXVII (August, 1975), 619-632. Here Boritt questions the depth of Lincoln's commitment to the policy of colonization by saying that Lincoln's interest in colonization was a psychological shield against facing painful external realities. Lincoln's public statements on colonization are a mass of contradictions. He occasionally ridiculed arguments that there was not room for both races on this vast continent. He spent only a small amount of the money Congress appropriated to further experiments in colonizing freedmen. His thought on the question

was uncharacteristically sloppy and ignored the sort of simple mathematical evidence from population figures and finance that he customarily loved to manipulate. These are signs of wishful thinking or unconscious avoidance of the realities of this great social question. A careless faith in colonization allowed him to devote his attention and energies to the task of freeing the slaves without worrying about future problems and without running roughshod over popular opinion among whites. It must be said that Boritt's article avoids what he so aptly calls "psychodogmatism," the clumsy assertion of borrowed psychological jargon that so mars Michael P. Rogin's recent psychobiography of Andrew Jackson (*Fathers and Children*) as to make it almost unreadable.

Boritt's article provides a sharp contrast to the program presented by Professor George M. Fredrickson to the Chicago Civil War Round Table in November, 1975. Fredrickson's published views were discussed in *Lincoln Lore*, Number 1647, and they have not changed significantly. But it is interesting to note that he sees colonization as "the perfect answer" in Lincoln's mind to the dilemmas of a man who inherited Henry Clay's views on the race question. Clay (and Lincoln), says Fredrickson, believed that racial differences were not innate but environmentally determined. Clay (and Lincoln) also believed that white prejudice was incorrigible, and racial equality was impossible as a matter of political and social fact (not as a dictate of nature's laws). Colonization was the only answer. Two more diametrically opposed views than Boritt's and Fredrickson's would be hard to imagine.

Allison R. Ensor's "The House United: Mark Twain and Henry Watterson Celebrate Lincoln's Birthday, 1901" in *The South Atlantic Quarterly*, LXXIV (Spring, 1975), 259-268, describes a notable occasion on which two former Confederate soldiers (Twain and Watterson) celebrated Lincoln's birth-



FIGURE 2. Giuseppe Garibaldi from an 1864 photograph.

From the Lincoln National Life Foundation

sult, to-day we are glad that it came out as it did, but we are not ashamed that we did our endeavor...." And he celebrated the North's leader, Lincoln, as "the greatest citizen, and the noblest and best, after Washington, that this land or any other has yet produced."

"Lincoln, Stevenson And Yours Truly," by Mort R. Lewis in *Manuscripts*, XXVII (Fall, 1975), 280-284, relates an incident in which Mr. Lewis suggested to Adlai Stevenson that he and Dwight D. Eisenhower should have a series of televised debates like the Lincoln-Douglas debates. Eisenhower ignored the suggestion after it was aired on Drew Pearson's radio show. Nevertheless, Mr. Lewis and Mr. Stevenson thereafter had some correspondence. Lewis chided Stevenson's overly intellectual speech-making by quoting Lincoln's advice to Herndon, "Billy, don't shoot high — aim lower and the common people will understand you. They are the ones you want to reach...." Thereafter, several letters revealed Stevenson's warm curiosity about the sixteenth President (especially his humorous anecdotes) and the ways of separating the valid quotations from the apocrypha.

Herbert Mitgang's "Garibaldi and Lincoln" in *American Heritage*, XXVI (October, 1975), 34-39, 98-101, discusses an offer to make the Italian revolutionary hero, General Giuseppe Garibaldi, a major general of Union forces in the Civil War. An ambitious Buchanan appointee, James W. Quiggle, who was the American consul in Antwerp, made the initial contact and offer (quite without any authority from anyone to do so). Secretary of State William Seward swept Quiggle aside but sent diplomats George Perkins Marsh and Henry Shelton Sanford to negotiate with the retired veteran of wars of liberation on two continents (this time, apparently, with the President's authority). The crafty Garibaldi tried to use the invitation as leverage on King Victor Emmanuel to launch a campaign against the Papal States to unify Italy; the King replied that he would be content to see Garibaldi go to America.

day. The audience included J. P. Morgan and Andrew Carnegie; the affair was meant to raise money for Lincoln Memorial University in Harrogate, Tennessee. President McKinley, of whom Twain was a bitter critic because of American policy in the Philippines, had been invited but did not attend. Twain, who was often critical of the South, here identified himself as a Southerner, recounting his war effort in mock-heroic style:

I had laid my plans with wisdom and foresight and if Colonel Watterson had obeyed my orders I should have succeeded in my giant undertaking. It was my intention to drive General Grant into the Pacific — if I could get transportation — and I told Colonel Watterson to surround the Eastern armies and wait till I come. But he was insubordinate... he refused to take orders from a second lieutenant — and the Union was saved.

Identifying with the South (note the use of *we* in the following), he nevertheless celebrated Northern victory: "To-

day we no longer regret the re-

Then Garibaldi demanded that he be made commander-in-chief with the authority to abolish slavery; needless to say, he was turned down.

A very interesting letter describing Elizabeth Peabody's visits with President Lincoln in February, 1865, is reprinted with careful editorial notes by Arlin Turner in *The New England Quarterly*, XLVIII (March, 1975), 116-124. Miss Peabody wrote the letter to her nephew, Horace Mann, Jr. Lincoln had served in Congress with Mann's father, about whom Lincoln reminisced to Miss Peabody:

"Yes — he was very much interested in antislavery — He went into Congress because he feared the Extension of Slavery. I remember . . . — he never spoke of any other subject in Congress — and he was reasonable. He was not so extreme as *some* — As Wendell Phillips for instance — (and he looked up with the sweetest smile as if he did not *hate* W.P. for being *extreme* on this subject) . . ."

Then Lincoln told Miss Peabody a most interesting piece of political history. Congressman James M. Ashley wanted as large a victory as possible for the proposed Thirteenth Amendment abolishing slavery. As Ashley fought for his amendment in the House in January, 1865, Lincoln was involved in the delicate negotiations with Confederate peace commissioners which would lead to the Hampton Roads Peace Conference in February.

"Twice — while the talk in Congress was going on that morning — & I was writing to Seward — notes came from the House asking me *if there were any Commissioners of Peace in Washington — or whether I thought they would come* — Those converts of Ashley's (to support of the Amendment) would have gone off in a tangent at the last moment had they smelt Peace. I left off writing each time — & took sheets of paper — & elaborately wrote that *as far as I knew* there were no Commissioners of peace in Washington — *nor did I think they would come.*" Here he laughed — & repeated again the same words & with the same emphasis '*as far as I knew &c*' . . . [.]

Miss Peabody saw Lincoln later at a White House reception and again discussed Wendell Phillips and William Lloyd Garrison. The letter is rich in descriptions of Lincoln's mannerisms and contains too many anecdotes to retell here. Suffice it to say that it is a document well worth reading and completely understandable because of the excellent footnotes. It is a job up to the customary high standards of this distinguished historical journal.

Two noteworthy discussions of Abraham Lincoln can be found in recent books. Major L. Wilson's *Space, Time, and Freedom: The Quest for Nationality and the Irrepressible Conflict, 1815-1861* (Westport, Connecticut: Greenwood Press, 1974) carefully describes the differences in free soil doctrine as enunciated by Lincoln, Seward, and Salmon P. Chase. Free soilers characteristically saw themselves as purifying a corrupted, but once perfect national Eden. Seward was such an optimist that he had trouble perceiving that the corruption was serious; therefore, he was tempted by Douglas's popular sovereignty doctrine and confident even in the midst of secession that the nation would survive and progress. Lincoln, by contrast, was more a pessimist who knew that even this nation could go wrong were something not done soon about slavery. He dated the national decline from the early 1850's. Chase saw the decline as beginning as early as 1790 and was the profoundest pessimist of the three.

In a thin volume entitled *Crucial American Elections* (Philadelphia: American Philosophical Society, 1973), Don E. Fehrenbacher shrewdly discusses the election of 1860. He questions what a "crucial" election is. This one was "crucial" in the sense that the most cataclysmic events in American history ensued directly as a result of the election. Lincoln turned 39 percent of the popular vote into 59 percent of the electoral vote, but there was common agreement from midsummer on that he was a shoo-in. The election contest itself was not excit-

ing for the voters or candidates. Even candidate Stephen Douglas acknowledged defeat a month before the election was held. Ironically, this gave the South time to prepare for secession; a closer contest — or, rather, a contest perceived by the voters as promising to be close — might have prevented secession, at least for a time.

There is a long discussion of the Gettysburg Address in *The New Yorker* magazine for September 8, 1975, written by Mortimer J. Adler and William Gorman.

Despite the vogue of archival scholarship, most archivists know that it is more praised than practiced. Last year, however, seven students from Indianapolis Baptist High School, accompanied by their capable teacher, Miss Thekla Joiner, made the 250-mile round trip from Indianapolis to Fort Wayne in order to do research in the Lincoln Library and Museum for an essay contest sponsored by the Eisenhower Scholarship Foundation, P. O. Box 1324, Bloomington, Indiana. Two Indianapolis Baptist students, Jim Lockwood and Kim Montgomery, were among the six Indiana students awarded \$8,000 scholarships for their education at smaller, privately endowed Indiana colleges. These students are to be congratulated, their school commended for its serious approach to study, and the Eisenhower Foundation acknowledged for its contribution to education.

On May 11, 1975, Paul M. Angle died at the age of 74. In 1925, he became executive secretary of the Abraham Lincoln Association in Springfield. In 1932, he became Illinois State Historian and executive director of the Illinois State Historical Society, positions he held until 1945. For twenty years after that, Angle was director of the Chicago Historical Society. He edited many books and publications and is well known as the author of *A Shelf of Lincoln Books* and "*Here I Have Lived*": *A History of Lincoln's Springfield*.



Courtesy of Essex Institute, Salem, Mass.
FIGURE 3. Elizabeth Palmer Peabody (1804-1894) from an oil portrait painted in 1878 by Charles Burleigh.

CUMULATIVE BIBLIOGRAPHY 1975

Selections approved by a Bibliography Committee consisting of the following members: Dr. Kenneth A. Bernard, Belmont Arms, 51 Belmont St., Apt. C-2, South Easton, Mass.; Arnold Gates, 289 New Hyde Park Rd., Garden City, N.Y.; Carl Harverlin, 8619 Louise Avenue, Northridge, California; James T. Hickey, Illinois State Historical Library, Old State Capitol, Springfield, Illinois; E. B. (Pete) Long, 607 S. 15th St., Laramie, Wyoming; Ralph G. Newman, 18 E. Chestnut St., Chicago, Illinois; Hon. Fred Schwengel, 200 Maryland Avenue, N.E., Washington, D.C.; Dr. Wayne C. Temple, 1121 S. 4th Street Court, Springfield, Illinois. New items available for consideration may be sent to the above persons, or the Lincoln National Life Foundation.

1975

LINCOLN MEMORIAL UNIVERSITY 1975-5

Lincoln Memorial University Press/(Device)/Spring, 1975/Vol. 77, No. 1/Lincoln Herald/A Magazine devoted to historical/research in the field of Lincolniana and the Civil War, and to the promotion of Lincoln Ideals in American Education./ [Harrogate, Tenn.]

Pamphlet, flexible boards, 10 1/8" x 7 1/8", 68 pp., illus., price per single issue, \$1.50.

LINCOLN MEMORIAL UNIVERSITY 1975-6

Lincoln Memorial University Press/(Device)/Summer,

1975/Vol. 77, No. 2/Lincoln Herald/A Magazine devoted to historical/research in the field of Lincolniana and the Civil War, and to the promotion of Lincoln Ideals in American Education./ [Harrogate, Tenn.]

Pamphlet, flexible boards, 10 1/8" x 7 1/8", 69-136 pp., illus., price per single issue, \$2.50.

LINCOLN MEMORIAL UNIVERSITY 1975-7

Lincoln Herald/Index/Vol. 76/Spring, 1974 through Winter, 1974/Compiled by Joseph E. Suppiger/Lincoln Memorial University/Harrogate, Tennessee/1975/(Cover title)/

Pamphlet, paper, 10 1/8" x 7 1/8", 18 pp.

LLOYD, JOHN A. 1975-8

Address of John A. Lloyd/To/Queen City Optimists Club/February 8, 1975/One Day In The Life Of/President Lincoln/(Caption title)/[Copyright 1975 by John A. Lloyd.]

Pamphlet, paper, 8 1/2" x 5 1/2", 15 pp.

MOCHIZUKI, MASAHARU 1975-9

(Device)/(Portrait of Lincoln facing right)/(1809-1865)/16th President of U. S. A./[Japanese printing]/Lincoln Report/No. 17/February 12, 1975/No. Seventeen/(Two lines of Japanese printing)/Tokyo Lincoln Center/Masaharu Mochizuki, Director/2-1, Sarugaku-cho 1-chome, Chiyoda-ku, Tokyo, Japan/Phone 291-1860/Mail address: P. O. Box 5001 Tokyo International, Tokyo, Japan/(Cover title)/[Printed in Tokyo, Japan in both Japanese and English languages.]

Pamphlet, paper, 10 1/8" x 7 1/8", (4) pp., illus. (Contains a listing on possessions of complete works on Abraham Lincoln.)

NEWMAN, RALPH GEOFFREY 1975-10

Abraham/Lincoln/His Story/in His Own Words/Edited And With Notes/By Ralph Geoffrey Newman/"Abraham Lincoln/His hand and pen/he will be good but/God knows when."/Doubleday & Company, Inc./Garden City, New York/1975/[Copyright 1970 by Ralph Geoffrey Newman. All rights reserved.]

Book, cloth, 8 1/2" x 5 3/4", fr., 117 pp., price, \$6.95.

PARKS, GORDON E. 1975-11

Lincoln's Changing Reputation/By Gordon E. Parks/Whitewater, Wisconsin/(Portrait)/Address At Annual Meet-

ing/Lincoln Fellowship Of Wisconsin/Madison/1974/Historical Bulletin No. 30/1975/(Cover title)/

Pamphlet, flexible boards, 10" x 7 1/2", 16 pp., illus., price, \$1.25. Send to Mrs. Carl Wilhelm, State Historical Society of Wisconsin, 816 State Street, Madison, Wisconsin 53706.

(TOKYO LINCOLN CENTER) (1975)-12

(Picture of Lincoln)/Abraham/Lincoln/Lives/Here/Catalogue Of/Japanese Books On/Abraham Lincoln/(Japanese printing)/Tokyo Lincoln Center/Tokyo/(Cover title)/[Printed in Tokyo, Japan in both Japanese and English languages. Contains a preface by Masaharu Mochizuki.]

Pamphlet, paper, 8 1/4" x 5 3/4", 44 (4) pp., illus. (Contains catalogue listing of the holdings of the Tokyo Lincoln Center covering books on Abraham Lincoln published in Japan, pamphlets, clippings, etc. in Japanese language, and chronology of Abraham Lincoln.)

TREFOUSSE, HANS L. 1975-13

Hans L. Trefousse/Brooklyn College / City University of New York/The America's Alternatives Series/Edited by Harold M. Hyman/Lincoln's/Decision for/Emancipation/J. B. Lippincott Company/Philadelphia/New York/Toronto/

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Book, paperback, 6" x 9", xiv p., 134 pp., price, \$3.25.

WOODS, THALIA S. 1975-14

February Twelve/Eighteen-O-Nine/A Story in Verse of the Birth of/Abraham Lincoln/by/Thalia S. Woods/(Cover title)/[Copyright 1975 by Thalia S. Woods.]

Pamphlet, paper, 8 3/8" x 5 3/8", (8) pp.

YOUNG, SAMUEL (1975)-15

Political Philosophy/of/Abraham Lincoln/(A Synthesis of Alexander Hamilton's/Strong Nationalism and Thomas Jefferson's/Great Faith in Democracy)/Samuel Young/Printed in the interest of/U.S.A. Bicentennial 1975-1976/Homemakers Guild R/Of America Foundation/Non-Profit. Non-Partisan. Educational/

Pamphlet, paper, 4" x 8 3/8", 32 pp., illus.

LINCOLN NATIONAL LIFE FOUNDATION 1975-16

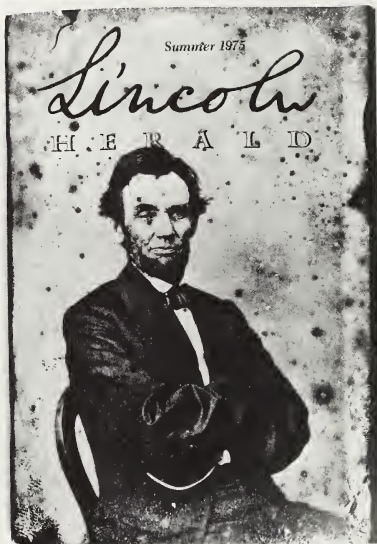
Lincoln Lore/Bulletin of The Lincoln National Life Foundation . . . Mark E. Neely, Jr., Editor. Published each month/by The Lincoln National Life Insurance Company, Fort Wayne, Indiana 46801./Number 1643, January 1975 to Number 1648, June 1975.

Folder, paper, 11" x 8 1/2", 4 pp., illus. Number 1643, Abraham Lincoln Did Not Defend His Wife Before the Committee on the Conduct of the War, January 1975; Number 1644, President Lincoln, Polygamy, And The Civil War: The Case Of Dawson And Deseret, February 1975; Number 1645, President Lincoln, Polygamy, And The Civil War: The Case Of Dawson And Deseret, (Cont.), March 1975; Number 1646, The Vice-Presidency Twice Beckons Lincoln by Louis A. Warren, April 1975; Number 1647, Lincoln Historiography: News And Notes, May 1975; Number 1648, F. D. R. and Lincoln: A Democratic President Shapes the Story of a Republican President's Life, June 1975.

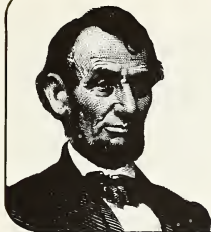
LINCOLN NATIONAL LIFE FOUNDATION 1975-17

Lincoln Lore/Bulletin of The Lincoln National Life Foundation . . . Mark E. Neely, Jr., Editor. Published each month/by The Lincoln National Life Insurance Company, Fort Wayne, Indiana 46801./Number 1649, July 1975 to Number 1654, December 1975.

Folder, paper, 11" x 8 1/2", 4 pp., illus. Number 1649, A Philadelphia Lawyer Defends the President, July 1975; Number 1650, A Philadelphia Lawyer Defends the President (Cont.), August 1975; Number 1651, A View Of Lincoln From A House Divided, September 1975; Number 1652, A View Of Lincoln From A House Divided (Cont.), October 1975; Number 1653, Emancipation: 113 Years Later, November 1975; Number 1654, Index for 1975, December 1975.



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Mary Jane Hubler, Editorial Assistant. Published each month by the
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Number 1722

LAWANDA COX ON RECONSTRUCTION IN LOUISIANA: A REVIEW

President Lincoln's attempt to reconstruct Louisiana has been the focus of a tremendous amount of attention in recent years. It has provided the exclusive subject matter of two major books in the last three years: Peyton McCrary's *Abraham Lincoln and Reconstruction: The Louisiana Experiment* (Princeton: Princeton University Press, 1978) and LaWanda Cox's *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981). Other historians have given it considerable notice in books, articles, and scholarly papers of broader focus. Reconstruction in Louisiana is a hot topic these days.

The attraction lies not so much in swampy Louisiana itself as in the subject of Reconstruction, for Lincoln made Louisiana a sort of model of his policy toward the conquered South. Interest in Reconstruction is high for three principal reasons. First, scholars, jurists, reformers, and policy makers have been look-

ing for precedents set in the 1860s and 1870s for the modern movement for civil rights for black people a century later. Indeed, the measures of the modern era are sometimes called the Second Reconstruction. That initial impulse to study the first Reconstruction is well on the wane, but scholars trained in graduate schools in the 1960s did their initial work on Reconstruction and continue to work in the field even though many reformers, jurists, and policy makers have abandoned those concerns. If that second factor may be characterized as scholarly inertia, a third factor is surely scholarly thoroughness. There is a sense abroad in academe that Reconstruction scholarship, like the Second Reconstruction to which it was a handmaiden, must move on to new insights that go well beyond the now old-fashioned attempt to prove that Reconstruction was not as bad as most white Americans used to think.

LaWanda Cox, with her late husband John, wrote one of the



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FIGURE 1. When Union forces arrived in Louisiana, Lincoln had his first big chance to reconstruct a state.



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FIGURE 2. Some New Orleans residents scrambled to take the oath of allegiance to the United States.

1960s' most important and influential works on Reconstruction, *Politics, Principle, and Prejudice, 1865-1866: Dilemma of Reconstruction America*, a book which did much to destroy Andrew Johnson's reputation. Mrs. Cox was already a mature scholar at the advent of the heyday of Reconstruction studies. Her interest in the subject endures because of essentially scholarly impulses. In her long career, she came across documents which did not seem to jibe with the accepted wisdom on Abraham Lincoln's Reconstruction policies, and she wanted to figure out what was correct.

In one respect, but in one respect only, her conclusions are not original. She shares with McCrary and other scholars a view, fast gaining wide acceptance among historians, that Abraham Lincoln would have reconstructed the South had John Wilkes Booth not stopped him. In light of the preponderance of evidence in favor of this view — one thinks immediately of the numerous Lincoln letters urging military governors in the South to get on with the work of reconstructing their states — the conclusion may seem obvious and banal. A quick glance at the conclusions reached by the previous generation of historians like Allan Nevins and James G. Randall, will quickly reveal the unanimity of the contrary opinion until very recent times. And outside the scholarly community, the older view still reigns supreme and shows few signs of movement toward the newer view. It will require many more reiterations than Mrs. Cox's to turn the tide of majority opinion, and there is nothing wrong with her reasserting this truth.

The real originality of *Lincoln and Black Freedom* lies in the nature of Mrs. Cox's proof of the proposition that Lincoln would have reconstructed the South had he lived to complete his second term. Readers of McCrary's book in particular will be surprised to see who Mrs. Cox's heroes and villains are. The reader should not be fooled by her assertion that her approach in the book was "one of reflection rather than research." She has solid documentation for her most important conclusions. She

read the crucial documents and, more important, read them with care and with discerning and sympathetic intelligence. It is a convincing book.

The care with which Mrs. Cox read the documents is apparent in her first chapter. Relying for the most part on documents read by hundreds of historians before her, she manages nevertheless to describe Lincoln's policies toward slavery in a fresh and exciting way.

When war opened possibilities unapproachable in the 1850s, Lincoln's reach was not found wanting. Indeed, there is something breathtaking in his advance from prewar advocacy of restricting slavery's spread to foremost responsibility for slavery's total, immediate, uncompensated destruction by constitutional amendment. The progression represented a positive exercise of leadership. It has often been viewed as a reluctant accommodation to pressures; it can better be understood as a ready response to opportunity. Willing to settle for what was practicable, provided it pointed in the right direction, Lincoln was alert to the expanding potential created by war. Military needs, foreign policy, Radical agitation did not force him upon an alien course but rather helped clear a path toward a long-desired but intractable objective. Having advanced, Lincoln recognized the danger of a forced retreat, a retreat to be forestalled with certainty only by military victory and constitutional amendment. His disclaimer of credit for "the removal of a great wrong" which he attributed to "God alone," though in a sense accurate, for the process of emancipation did not follow his or any man's design, was nonetheless misleading.

Although historians have often remarked on Lincoln's "growth" in office, none has heretofore called the rapidity of change in his views on slavery "breathtaking."

Can Mrs. Cox document it? In a word, yes. She notes that Lincoln was the first President ever to ask Congress to pass an amendment to the Constitution fully drafted by the President

himself (in December, 1862). "Lincoln took the initiative against slavery," she says. When he had first suggested his scheme for gradual and compensated emancipation in the border states the previous March, "Congress had not yet taken any action against slavery as such." The first Confiscation Act (August, 1861) affected only slaves used for military purposes, and the bill to abolish slavery in the District of Columbia had not yet passed either house. Even Wendell Phillips had to admit that Lincoln was "better than his Congress fellows." The Phillips letter came to light only in 1979. Mrs. Cox has been reading as well as reflecting.

Mrs. Cox's interpretation of the Emancipation Proclamation likewise gives firm support for her use of the word "breath-taking":

In issuing the Emancipation Proclamation, Lincoln is sometimes seen as lagging behind Congress, which had passed the Second Confiscation Act on July 17, 1862. Yet the first draft of his proclamation was presented to the cabinet just five days later and his decision had been made earlier, at least by July 13 — that is, before Congress acted. When his advisers convinced him to delay until a Union victory, Lincoln promptly issued the first paragraph of his draft as a separate proclamation giving warning that all persons who did not return to their allegiance would be subject, as provided by the Confiscation Act, to forfeitures and seizures.

The discerning intelligence with which Mrs. Cox read the documents is everywhere apparent. She knows that tone is

important. In discussing Lincoln's message on compensated emancipation of the spring of 1862, she notes that in "earnestly beg[ging] the attention of Congress and the people," he "rejected the suggestion that he substitute 'respectfully' for 'earnestly.'" He pleaded for his program "in full view of my great responsibility to my God, and to my country." Mrs. Cox adds shrewdly: "In this first major antislavery document of his presidency the word order of 'God' and 'country' may be not unworthy of note." Lincoln was honest, but he was also crafty, as Mrs. Cox knows from her sensitive reading of his works. When rumors that Confederate peace commissioners were coming to Washington threatened passage of the Thirteenth Amendment in the House early in 1865, James Ashley asked the President for a denial.

Pressed, Lincoln sent a one-sentence, carefully phrased response: "So far as I know, there are no peace commissioners in the city, or likely to be in it." Peace commissioners, as Lincoln well knew, were on their way — but to Fortress Monroe rather than to "the city."

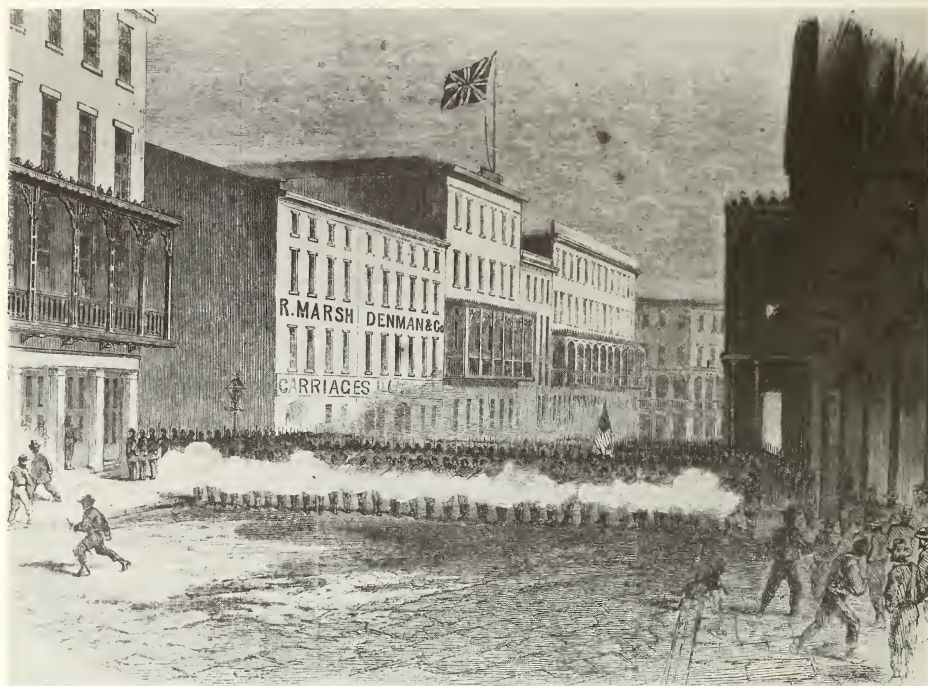
Lincoln and Black Freedom is a book for aficionados who will appreciate the subtle interpretations and the careful attention to chronology.

When Mrs. Cox turns her formidable talents to the subject of Reconstruction in Louisiana, she reaches even more impressive and original conclusions. Her straightforward chronological approach allows her first to document Lincoln's education into the realities of disloyal sentiment in the South. Beginning with the notion that indigenous forces in occupied Louisiana could,



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FIGURE 3. Union generals lectured Louisiana's blacks on their duties as freedmen.



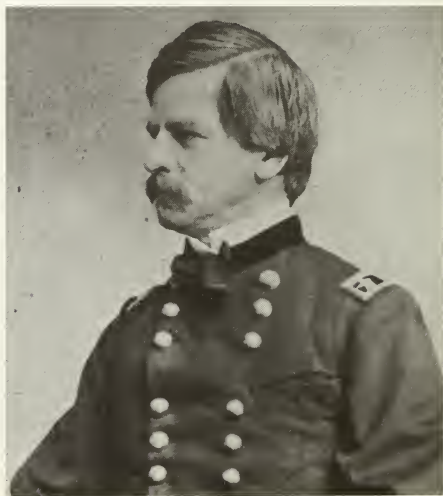
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FIGURE 4. Military power was much in evidence as Union soldiers practiced "street firing" in New Orleans.

with a little encouragement, create a new free state government, the President learned gradually that it could not be done — at least not before 1864, when the threat of Democratic control of the national government might end all efforts to undermine slavery. Slowly he came around to the view of General Nathaniel P. Banks, the Northern military commander in the region, that it could be done by means of military pressure without anything approaching a majority of the local population. That education informed Lincoln's general Proclamation of Amnesty and Reconstruction of December 8, 1863, which asked only for a ten percent nucleus around which to form a free state in any of the occupied South. Banks's idea, which soon became Lincoln's, was to organize elections for state offices under the old prewar proslavery constitution and declare the parts of that constitution upholding slavery null by sheer military authority. It would take too long to wait for majority opinion even among the loyal people of Louisiana to come around to the conviction that slavery should be abolished in a new state constitution.

Readers of Peyton McCrary's *Abraham Lincoln and Reconstruction* will be surprised to hear of this concurrence of views between Lincoln and General Banks. McCrary accused Banks of deceiving Lincoln into thinking that the local antislavery loyalists, the Free State Committee led by Thomas J. Durant, were dragging their feet in registering voters for a constitutional convention. Banks, McCrary argued, gained control of the political situation in Louisiana and engineered a conservative "coup" which undermined the more radical Free State movement. As Mrs. Cox points out, however, it was a long letter from Durant to Lincoln (October, 1863) which revealed to the President that little or nothing was being done in Louisiana.

(To be continued)



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FIGURE 5. General Nathaniel P. Banks.

